

Statistical Table of the Criminal Cases at the
Consular Court in China

(Based on the statistical table concerning
consular trials.
(2nd Section of the Treaty Department
of the Foreign Ministry)

Table No. 1

Number of cases accepted to be tried		1936	1937	1938	1939	1940	1941	Total	
A	Offences concerning the opium code "opium"	3	2	14	6	8	13	36	
B	Violation of the law regulating the sale and distribution of opium and narcotics, etc.	304	212	424	1,111	1,466	1,497	5,034	Before 1940, Foreign Ministry's regulation con- cerning opium and narcotics.
C	Total (A+B)	307	214	428	1,117	1,474	1,510	5,070	
D	Criminal offence (in- cluding A)	196	111	203	463	766	869	2,565	
E	Offence against the Special Criminal Code (including B)	344	293	442	1,170	1,632	1,632	5,437	
F	Total (D+E)	480	304	645	1,638	2,400	2,515	8,021	
G	$\frac{C}{F} \%$	64%	62%	66%	66%	62%	60%	63%	
H	Comparison with the pre- ceding years. { - }	Total (F)		1936	+301	+492	+115		
		Criminal (D) offence		--25	+92	+265	+300	+131	
		Offence against the Special Criminal Code (E)		-111	+209	+723	+162	-16	
		Cases of opium and narcotics (C)		-93	+214	+689	+377	+16	

DEF. DOC. #2425

DEF. DOC. #2425

Table No. 2

Number of cases accepted to be examined		1940	1941	
a	Crimes against the penal code "opium"	13	16	
b	Violation of the law regulating the use of the narcotics, etc. in China	11.732	1.635	
c	Total	1.845	1.661	
d	Criminal offence (including (a))	1.520	1.682	
e	Offence against the Special Criminal-Code (including (b))	1.951	1.842	
f	Total (d+e)	3.471	3.524	
g	$\frac{c}{f} \%$	53%	47%	
	Number of cases accepted to be tried	Cases of opium and narcotics C	1.494	1.510
		All cases $\frac{F}{f}$	2.400	2.515
h	Prosecution rate	Cases of opium and narcotics $\frac{cC}{c}$	80%	91%
		All cases $\frac{F}{f}$	68%	71%
		Other cases except opium and narcotics $\frac{F-C}{f-c}$	55%	54%

From the above two tables the following facts may be determined:---

1. Of the criminal cases handled at the consular court in the Republic of China from 1936 to 1941, the cases of opium, narcotic, etc. form 60%-68% (average: 63%-6%).
2. Of the cases examined by the consular court in the Republic of China from 1940 to 1941, the cases of opium, narcotic, etc. form 47%-53% (g).
3. The prosecution-rate concerning the cases of opium, narcotics, etc. was in 1940-80%; in 1941, 91%. This rate is clearly high as compared with the prosecution-rate of the other cases which ran about 55% in 1940; and 54%, in 1941 (h).
4. Further the number of those who were found not guilty after they were tried did not exceed:---
(including these cases of opium, narcotics, etc.)

in 1940	7 cases	11 persons
in 1941	8 cases	9 persons

Note:-- It is a matter of regret that the statistical tables before 1939 are too brief and those after 1942 are obtainable.

Translated by
Defense Language Branch

CERTIFICATE OF SOURCE AND AUTHENTICITY

I, HAYASHI, Kaoru, who occupy the post of Chief of the Archives Section of Foreign Office, hereby certify that the document hereto attached, written in Japanese, consisting of 3 pages and entitled "Statistical Table of the Criminal Cases at the Consular Court in China" is an exact and authorized excerpt from an official document in the custody of Japanese Government (Foreign Office).

certified at Tokyo,

on this 28th day of August, 1947

/s/ HAYASHI, Kaoru
(seal)

I hereby certify that the above signature and seal were affixed hereto in the presence of the Witness.

at the same place,

on this same date

Witness: /s/ SUZUKI, Sei
(seal)

在華領事裁判刑事事件統計表

領事裁判系統計表 (外務省條約第二課)
による

第一表

裁判受理件數		昭和1年	1 2	1 3	1 4	1 5	1 6	計
		1936	1937	1938	1939	1940	1941	Total
A	刑法阿片煙に關する罪	3	2	4	6	6	13	36
B	中華民國に於ける麻藥等取締令違反	304	212	424	1111	1486	1497	5034
C	計 (A+B)	307	214	428	1117	1494	1510	5070
D	刑法犯 (Aを含む)	136	111	203	468	768	899	2585
E	特別法犯 (Bを含む)	344	233	442	1170	1632	1616	5437
F	計 (D+E)	480	344	645	1638	2400	2515	8022
G	$\frac{C}{F} \%$	63%	62%	66%	68%	62%	60%	63%
H	前年比 (±)	計 (F)	—	136+	301+	893+	762+	115
		刑法犯 (D)	—	25+	92+	265+	300+	131
		特別法犯 (E)	—	111+	209+	728+	462+	16
		阿片麻藥事件 (C)	—	93+	214+	689+	377+	16

昭和十五年以前は
外務省令麻藥取締
及阿片取締令

第二表

檢察受理件數		昭和15	16	
		1940	1941	
a	刑法阿片煙に關する罪	13	16	
b	中華民國に於ける麻藥取締令違反	1732	1635	
c	計	1845	1661	
d	刑法犯 (aを含む)	1520	1682	
e	特別法犯 (bを含む)	1951	1842	
f	計 (d+e)	3471	3524	
g	$\frac{c}{f}$ %	53%	47%	
h	裁判受理	阿片麻藥 C	1494	1510
		全事件 F	2400	2515
	起訴	阿片麻藥 $\frac{C}{c}$	80%	91%
		全事件 $\frac{F}{f}$	68%	71%
	率	阿片麻藥以外 $\frac{F-C}{f-c}$	55%	54%

Def Doc No. 2425

上の表によつて次のことがわかる

- 1, 昭和十一年乃至昭和十六年中華民國における領事裁判の刑事事件中阿片, 麻薬關係事件が60%~68%(平均63%)を占めてゐる(㉔)
- 2, 昭和十五年及昭和十六年中華民國に於ける領事裁判の民事事件中阿片麻薬關係事件が, 47%~53%を占めてゐる(㉕)
- 3, 阿片麻薬關係事件の起訴率は昭和十五年80%, 昭和十六年91%でその他の事件の起訴率が夫々55%, 54%であるのに比べてはるかに高度である(㉖)
- 4, なお, 領事裁判において起訴されて無罪となつたものは, (阿片麻薬關係をも含めて) 昭和十五年 7件 11人
昭和十六年 8件 9人 にすぎない

備考 昭和十四年までの統計表は簡単にすぎ, 又昭和十七年以降の統計が入
手できないのが遺憾である }

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右署名捺印ハ自分ノ面前ヲ於テ爲サレタリ

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